

Exhibit E

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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

IN RE: 23ANDME, INC. CUSTOMER
DATA SECURITY BREACH LITIGATION

This Document Relates to: ALL ACTIONS

MDL No. 3098

Master Case No. 3:24-md-03098-EMC

**DECLARATION OF CARLA A. PEAK
IN SUPPORT OF SETTLEMENT
NOTICE PLAN**

1 I, Carla A. Peak, declare as follows:

2 1. I have personal knowledge of the matters set forth herein and if called as a witness
3 I could and would testify competently to them.

4 2. I am a nationally recognized expert in the field of legal notification, and I have
5 served as an expert in countless federal and state cases involving class action notice plans.

6 3. I am a Vice President of Legal Notification Services for Verita Global, LLC
7 (“Verita”) f/k/a KCC Class Action Services, LLC or KCC, a firm that specializes in comprehensive
8 class action services, including legal notification, email and postal mailing campaign
9 implementation, website design, call center support, class member data management, claims
10 processing, check and voucher disbursements, tax reporting, settlement fund escrow and reporting,
11 and other related services critical to the effective administration of class action settlements. With
12 more than 30 years of industry experience, Verita has developed efficient, secure, and cost-
13 effective methods to effectively manage the voluminous data and mailings associated with the
14 noticing, claims processing and disbursement requirements of these matters to ensure the orderly
15 and fair treatment of class members and all parties in interest.

16 4. The purpose of this declaration is to provide information related to Verita’s
17 qualifications and experience¹ and my qualifications and experience, as well as to detail the
18 proposed notice plan (the “Notice Plan”) designed to provide notice to class members about this
19 settlement. Verita will work with the parties to implement the Notice Plan, as well as make any
20 decisions about notice and administration.

21 5. Unless otherwise noted, capitalized terms have the same meaning ascribed to them
22 as in the Settlement Agreement.

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27 ¹ KCC acquired Gilardi & Co. LLC in 2015. KCC and Gilardi & Co. LCC rebranded as Verita
28 Global LLC in June 2024. This Declaration combines the class action notice and administration
experience of both firms.

VERITA'S BACKGROUND AND EXPERIENCE

6. As an industry leader, Verita has been retained to administer more than 7,500 class actions and distributed settlement payments totaling well over a trillion dollars in assets. Our experience includes many of the largest and most complex administrations of both private litigation and of actions brought by state and federal government regulators. As such, we are familiar with, and guided by, Constitutional due process provisions, the Federal Rules of Civil Procedure, and the relevant case law relating to legal notification.

7. Verita has administered notice plans in a wide range of class actions in the Northern District of California, for example: *Abante Rooter and Plumbing, Inc. v. Alarm.com Inc.*, No. 4:15-cv-06314 11; *Aruliah v. Impax Laboratories, Inc.*, No. 3:14-cv-03673; *Banks v. Nissan North America, Inc.*, No. 4:11-cv-02022; *Bonoan v. Adobe, Inc.*, No. 3:19-cv-01068; *Camberis v. Ocwen Loan Servicing, LLC*, No. 3:14-cv-02970; *Chen v. Chase Bank USA, N.A.*, No. 3:19-cv-01082; *Chinitz v. Intero Real Estate Services*, No. 5:18-cv-05623; *Cisneros v. American General Financial Services, Inc.*, No. 3:11-cv-02869; *Diaz v. Google LLC*, No. 5:21-cv-03080; *Drieu v. Zoom Video Communications, Inc.*, No. 3:20-cv-02353; *Edwards v. National Milk Producers Federation*, No. 4:11-cv-04766; *Ehret v. Uber Technologies, Inc.*, No. 3:14-cv-00113; *Heath v. Google LLC*, No. 5:15-cv-01824; *Hickcox-Huffman v. US Airways, Inc.*, No. 5:10-cv-05193; *Hendricks v. StarKist Co.*, No. 4:13-cv-00729; *Holman v. Experian Information Solutions, Inc.*, No. 4:11-cv-00180; *In re Anthem, Inc. Data Breach Litig.*, No. 5:15-md-02617; *In re Carrier IQ, Inc., Consumer Privacy Litig.*, No. 3:12-md-02330; *In re Cathode Ray Tube (CRT) Antitrust Litig.*, No. 4:07-cv-05944; *In re Extreme Networks, Inc. Securities Litig.*, No. 5:15-cv-04883; *In re Facebook Biometric Information Privacy Litig.*, No. 3:15-cv-03747; *In re HIV Antitrust Litig.*, No. 3:19-cv-02573; *In Re GEICO General Insurance Co.*, No. 4:19-cv-03768; *In re Lidoderm Antitrust Litig.*, No. 3:14-md-02521; *In Re LinkedIn User Privacy Litig.*, No. 5:12-cv-03088; *In Re Lithium Ion Batteries Indirect Antitrust Litig.*, No. 4:13-md-02420; *In Re: NCAA Athletic Grant-In-Aid Antitrust Litig.*, No. 4:14-md-02541; *In re Nexus 6P Products Liability Litig.*, No. 5:17-cv-02185; *In re: Nvidia GTX 970 Graphics Chip Litig.*, No. 4:15-cv-00760; *In Re Optical Disk Drive*

1 *Antitrust Litig.*, No. 3:10-md-02143; *Johnson v. Triple Leaf Tea Inc.*, No. 3:14-cv-01570; *Knight*
 2 *v. Concentrix Corp.*, No. 4:18-cv-07101; *McArdle v AT&T Mobility LLC*, No. 4:09-cv-01117;
 3 *Mullins v. Premier Nutrition Corp.*, No. 3:13-cv-01271; *Nevarez v. Forty Niners Football*
 4 *Company, LLC*, No. 4:16-cv-07013; *Norris v. Mazzola*, No. 3:15-cv-04962; *Perks v. Activehours*
 5 *Inc.*, No. 5:19-cv-05543; *Perrine v. Sega of America, Inc.*, No. 3:13-cv-01962; *Schneider v.*
 6 *Chipotle Mexican Grill, Inc.*, No. 4:16-cv-02200; *Sheikh v. Tesla, Inc.*, No. 5:17-cv-02193;
 7 *Ragano v. Michaels Stores, Inc.*, No. 3:11-cv-03908; *Slovin v. Sunrun, Inc.*, No. 4:15-cv-05340;
 8 *Steinfeld v. Discover Financial Services*, No. 3:12-cv-01118; and *Weeks v. Google LLC*, No. 5:18-
 9 cv-00801.

10 8. Verita has administered class action settlements for hundreds of consumer
 11 protection cases, including data breach cases. Some examples of data breach cases with which
 12 Verita has been involved include *Braun v. VisionQuest Eyecare, PC, et al.*, 49D07-1705-PL-
 13 020189 (Ind. Super. Ct.); *Carroll v. Macy's Inc. et al.*, No. 2:18-cv-01060-RDP (N.D. Ala.);
 14 *Cochran v. Burgerville LLC*, No. 18-cv-44864 (Cir. Ct. Ore); *Debaeke v. St. Joseph Health System,*
 15 *et al.*, No. JCCP 4716 (Cal. Super. Ct.); *Elvey v. TD Ameritrade, Inc.*, No. C 07 2852 VRW (N.D.
 16 Cal.); *Experian Data Breach Litig.*, No. 8:15-cv-01592 AG (DFMx) (C.D. Cal.); *Groveunder v.*
 17 *Wellpoint*, No. JCCP 4647 (Cal. Super. Ct.); *In re Anthem, Inc. Data Breach Litig.*, No. 5:15-MD-
 18 02617-LHK (N.D. Cal.); *In re Arby's Restaurant Group, Inc. Data Security Litig.*, No. 18-mi-
 19 55555-AT (N.D. Ga.); *In re LinkedIn User Privacy Litig.*, No. 12-cv-03088-EJD (N.D. Cal.); *In*
 20 *re Medical Informatics Engineering, Inc. Customer Data Security Breach Litig.*, No. 15-md-2667
 21 (N.D. Ind.); *In re Orrick, Herrington & Sutcliffe LLP, Data Breach Litig.*, No. 3:23-cv-04089
 22 (N.D. Cal.); *In re Overby-Seawell Company Customer Data Security Breach Litig.*, No. 1:23-md-
 23 03056 (N.D. Ga.); *In re Yapstone Data Breach Litig.*, No. 15-cv-04429-JSW (N.D. Cal.); *Lozanski*
 24 *v. The Home Depot Inc. Canada*, No. 14-51262400CP (Ontario Superior Court of Justice, Canada);
 25 *Ramsey v. 41 E. Chestnut Crab Partners, LLC, et al.*, No. 2019-CH-2759 (Ill. Cir. Ct.); *Tjahono*
 26 *v. Westinghouse Air Brake Technologies Corp.*, No. 2:23-cv-531-WSS (W.D. Pa.); *Saenz v. SEIU*
 27 *United Healthcare Workers-West*, No. RG09478973 (Cal. Super. Ct.); *Shurtleff v. Health Net of*
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1 *California, Inc.*, No. 34-2012-00121600 (Cal. Super. Ct.); *Sonic Corp Customer Data Security*
 2 *Breach Litig.*, No. 1:17-md-02807 (N.D. Ohio); *Storm v. Paytime, Inc.*, No. 14-cv-01138 (M.D.
 3 Pa.); *The Home Depot, Inc. Customer Data Security Breach Litig.*, No. 1:14-md-02583 (N.D. Ga.);
 4 *Torres v. Wendy's International, LLC*, No. 6:16-cv-00210-PGB-DCI (M.D. Fla.); and *Winstead v.*
 5 *ComplyRight, Inc.*, No. 18-cv-4990 (N.D. Ill.).

6 9. Over the last two years, Verita has not served as the settlement administrator for
 7 Co-Lead Counsel Casey Gerry Schenk Francavilla Blatt and Penfield LLP. However, Verita has
 8 been appointed as the settlement administrator for cases where Interim Co-Lead Counsel, Keller
 9 Rohrback L.L.P. and Stueve Siegel and Hanson LLP have been involved. Specifically, Verita is
 10 currently serving as the settlement administrator in *In re Chevrolet Bolt EV Battery Litigation*, 20-
 11 cv-13256 (E.D. Mich.)² for Keller Rohrback L.L.P. and in *Krant v. UnitedLex Corp.* No. 2:23-cv-
 12 02443-DDC-TJJ (D. Kan.)³ for Stueve Siegel and Hanson LLP.

13 10. I have personally been involved in many large and significant cases, including *In*
 14 *re Anthem, Inc. Data Breach Litigation*, No. 5:15-md-02617 (N.D. Cal.), a national data breach
 15 class action involving over 79 million people whose personal information was taken from
 16 Anthem's databases, *In re Experian Data Breach Litigation*, No. 8:15-cv-01592 (C.D. Cal.), a
 17 national data breach class action involving over 15 million T-Mobile consumers whose
 18 information was stored on an Experian server; *In re: The Home Depot, Inc., Customer Data*
 19 *Security Breach Litig.*, No. 1:14-md-02583 (N.D. Ga.), a national data breach class action
 20 involving over 40 million consumers who made credit or debit card purchases in a Home Depot
 21 store; *In re: Skelaxin (Metaxalone) Antitrust Litigation*, No. 1:12-md-02343 (E.D. Tenn.), a multi-
 22 state antitrust settlement involving both third party payors and consumers that purchased or paid
 23 for the brand and generic version of the prescription drug metaxalone; *Chambers v. Whirlpool*
 24 *Corporation*, No. 8:11-cv-01733 (C.D. Cal.), a national product defect case involving class
 25 members who experienced or may experience the overheating of an automatic dishwasher control
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27 ² Currently pending preliminary approval.

28 ³ Verita was appointed as the settlement administrator on July 23, 2024.

board; *In re Trans Union Corp. Privacy Litigation*, MDL No. 1350 (N.D. Ill.), perhaps the largest discretionary class action notice campaign involving virtually every adult in the United States and informing them about their rights in the \$75 million data breach settlement; and *In re Residential Schools Litigation*, No. 00-CV-192059 (Ont. S.C.J.), the largest and most complex class action in Canadian history incorporating a groundbreaking notice program to disparate, remote aboriginal persons qualified to receive benefits in the multi-billion dollar settlement.

11. In forming my opinions, I draw from my in-depth class action case experience. I have worked in the class action notification field for more than 20 years. During that time, I have been involved in all aspects in the design and implementation of class action notice planning, as well as the drafting of plain language notice documents that satisfy the requirements of Rule 23 and adhere to the guidelines set forth in the *Manual for Complex Litigation, Fourth* and by the Federal Judicial Center (“FJC”).

12. The reach of the Notice Program is consistent with other effective court-approved notice programs. Additionally, the Notice Program is intended to comply with the FJC’s 2010 Judges’ Class Action Notice and Claims Process Checklist and Plain Language Guide (the “FJC Checklist”), which considers 70-95% reach among class members to be reasonable.

NOTICE PLAN

Proposed Class Definition

13. The Settlement Class is defined as all natural persons who were residents of the United States on August 11, 2023 and whose Personal Information was compromised in the Security Incident.

14. The Settlement Class excludes: (i) 23andMe and its officers and directors; (ii) all Settlement Class Members who timely and validly request to opt-out from the Settlement Class; (iii) the Judge assigned to evaluate the fairness of this settlement; and (iv) potential class members who have provided 23andMe with an express release of claims arising out of or related to the Security Incident prior to the Effective Date of this Settlement.

Individual Notice

15. It is my understanding that the class size is estimated to consist of approximately 6.4 million people and that email and postal addresses are available for the Settlement Class.

16. Defendant will provide Verita with the names, email address and postal addresses for the Settlement Class Members (the “Class List”).

17. Verita will send an email notice (the “Short Notice”) to all Settlement Class Members for which an email address is available on the Class List. Email notice is likely to be effective as I understand that 23andMe regularly uses email to communicate with its customers. Prior to distributing the Short Notice, all email addresses will be subject to a cleansing and validation process to, among other things, remove extra spaces and fix common domain name errors, as well as compare addresses against known bad email addresses and verify email existence with Internet Service Providers (“ISPs”).

18. The Short Notice will be formatted to avoid common “red flags” that could cause the email to be blocked by spam filters. For example, the content of the notice will be placed in the body of the email rather than as an attachment to avoid spam filters and improve deliverability. The Short Notice will contain a link to the Settlement Website. A draft of the proposed Short Notice is attached as **Exhibit 1**.

19. The email delivery will be attempted three times. The email campaign will return data regarding the number of emails successfully delivered and email bouncebacks. Typically, initial bouncebacks are temporary in nature and consist primarily of those that are blocked by ISPs, result from full inboxes on the Settlement Class Member’s computers or result from some temporary technical difficulties. These three categories of bouncebacks (“Non-Fatal Bouncebacks”) account for about 10-15% of all emails that are sent, and in other cases and tests we have found that about 85% of these emails are deliverable if re-sent.

20. After the third email bounceback for an individual Settlement Class Member, Verita will send a single postcard summary notice to the Settlement Class Member’s corresponding postal address on the Class List.

21. Prior to mailing, the postal addresses will be checked against the National Change of Address (NCOA)⁴ database maintained by the USPS; certified via the Coding Accuracy Support System (CASS);⁵ and verified through Delivery Point Validation (DPV).⁶

22. Notices returned by the USPS as undeliverable will be re-mailed to any address available through the postal service forwarding order information. For any returned mailing that does not contain an expired forwarding order with a new address indicated, Verita will conduct further address searches using credit and other public source databases to attempt to locate new addresses and will re-mail these notices where possible. A draft of the proposed postcard notice is attached as **Exhibit 2**.

23. Direct notice will also be provided to Settlement Class Members via 23andMe's website and application. 23andMe has agreed to post a banner with the link to the Settlement Website that will be viewable to Settlement Class Members upon logging into the website. 23andMe users who interact with 23andMe via its mobile app, will be provided with an in-app banner containing a link to the Settlement Website. These methods are likely to be effective as my understanding is that 23andMe users are accustomed to receiving notifications from 23andMe via its application and website. A draft of the in-app notice and web-based notice is attached as **Exhibit 3**.

Media Campaign

24. In addition to the individual notice efforts described above, Verita will implement a media campaign consisting of a paid search campaign and the dissemination of a press release.

⁴ The NCOA database contains records of all permanent change of address submissions received by the USPS for the last four years. The USPS makes this data available to mailing firms and lists submitted to it are automatically updated with any reported move based on a comparison with the person's name and last known address.

⁵ Coding Accuracy Support System is a certification system used by the USPS to ensure the quality of ZIP+4 coding systems.

⁶ Records that are ZIP+4 coded are then sent through Delivery Point Validation to verify the address and identify Commercial Mail Receiving Agencies. DPV verifies the accuracy of addresses and reports exactly what is wrong with incorrect addresses.

Verita will implement a paid search campaign to help drive Settlement Class Members who are actively searching for information about the Litigation to the dedicated Settlement Website. Paid search ads are driven by the user's search activity, meaning that if someone searches for (or has recently searched for) terms related to the Litigation or Settlement, the user may be served with a paid search result directing them to the dedicated Settlement Website. The search terms used as part of the paid search campaign will directly relate to the Settlement, as well as the subject matter of the Litigation. These ads will include an embedded link to the Settlement Website

25. The paid search campaign will be routinely monitored by Verita's digital specialists to analyze key campaign performance indicators and make real-time modifications, as needed.

Press Release

26. Verita will cause a press release to be issued nationwide to a variety of press outlets. The press release will help garner "earned media" (*i.e.*, other media may report about the story). Earned media can provide a valuable role in distributing news and information about the litigation through trusted sources.

27. The subject matter of this litigation has already received extensive news coverage via The New York Times, Time Magazine, CNN, Wired, TechCrunch, The Guardian, The Epoch Times, Open Class Actions, The Washington Post, The Times of Israel, NBC News, and other media outlets; therefore, these press outlets may report news regarding the settlement.

Reminder Notice

28. Prior to the claims filing deadline, at a time agreed upon by the Parties, Verita will send a reminder email notice to all Settlement Class Members who have not yet submitted a Claim Form. The reminder email notice will alert Settlement Class Members to the pending deadline and encourage them to file a Claim Form to receive Settlement benefits.

Response Mechanisms

29. Verita will establish and maintain a case-specific website (in English, Spanish and Mandarin) to allow Settlement Class Members to obtain additional information about the settlement as well as relevant court filings from the action. Settlement Class Members will be

able to complete and submit a Claim Form online, as well as request an enrollment code throughout the three-year period the monitoring service is available. Settlement Class Members will also be able to view, download, and/or print the Short Notice, Class Notice, Claim Form, the Settlement Agreement, the Settlement Benefits Plan, and other important case documents, including Plaintiffs' Consolidated Complaint, Plaintiffs' Motion for Preliminary Approval of Class Action Settlement, Order Granting Preliminary Approval, and when filed, Plaintiffs' Motion for Attorneys' Fees, Litigation Expenses and Service Awards, Plaintiffs Motion for Final Approval of Class Action Settlement and other relevant documents and court filings. Settlement Class Members will also be able to review a list of frequently asked questions and answers, and important dates and deadlines. In addition, the Settlement Website will include a link to the case website, www.23andMeDataBreach.com, that Interim Co-Lead Class Counsel created to house the case hearing transcripts. A draft of the Class Notice is attached as **Exhibit 4**.

30. Verita will establish a case-specific toll-free number to allow Settlement Class Members to call to learn more about the Settlement in the form of frequently asked questions with the option to leave a message requesting a call back or to have additional information, in the form of the Long Notice and Claim Form, mailed to them.

31. Verita will establish a case-specific email address to allow Settlement Class Members to correspond directly with Verita regarding the Settlement.

32. Verita will also establish a case-specific postal address to allow Settlement Class Members to correspond directly with Verita regarding the Settlement.

CLAIMS PROCESS

33. To obtain an enrollment code and/or settlement compensation, Settlement Class Members must submit a Claim Form online or by mail. Each identifiable Settlement Class Member who is sent an individual notice will be assigned a unique identifier or "Claim ID" that may be used to expedite claims filing by "pre-populating" name, mailing address, and/or email address information. Claim IDs will be provided in the Short Notices and Postcard Notices. Settlement Class Members who receive an individual notice and wish to file a claim online may enter their

1 Claim ID to view and submit a Claim Form that has been automatically pre-populated with
2 information corresponding to their unique identifier.

3 34. The Claim Form will seek information necessary to validate and process Settlement
4 Class Members' claims, such as their full name, mailing address, telephone number, email address,
5 any documentation necessary to substantiate their claim, as well as their typed name which will
6 constitute an online signature as verification that all information provided on the Claim Form is
7 accurate. If a claim is denied due to lack of signature or other required information or
8 documentation, the Settlement Class Member will be notified and provided with an opportunity to
9 correct the claim. A draft of the proposed Claim Form is attached as **Exhibit 5**.

10 35. Verita will process all claim forms in accordance with the Settlement Agreement
11 and the Settlement Benefits Plan.

12 36. Settlement Class Members who do not submit a Claim Form for Privacy & Medical
13 Shield + Genetic Monitoring during the claims period will be able to enroll during the three-year
14 term of the service by visiting the Settlement Website and following the enrollment instructions
15 provided by CyEx. These Settlement Class Members will receive monitoring for the remainder of
16 the three-year service term.

17 37. After reviewing the claims rate in numerous data breach and BIPA class action
18 settlements Verita has administered, Verita has estimated 5-10% of the Settlement Class will file
19 a claim. The claims rate could be more or less than estimated and will ultimately be determined at
20 the conclusion of the administration.

21 38. The following cases were used to estimate the claims rate for this Settlement: *In re*
22 *Facebook Biometric Info. Privacy Litig.*, No. 3:15-cv-03747-JD (N.D. Cal.); *Joyner v. Behavioral*
23 *Health Network Inc.*, No. 2079-cv-00629 (Sup. Ct., Hamden Cty.); *Purvis v. Aveanna Healthcare*
24 *LLC*, No. 1:20-cv-02277 (N.D. Ga.); *Lamie, et al v LendingTree, LLC*, No. 3:22-cv-00307
25 (W.D.N.C.); *Swanson v. Hamra Chicago, LLC*, No. 2021-L-00176 (Ill. Cir. Ct., Kane Cty.); *In*
26 *Re: Overby-Seawell Company Customer Data Security Breach Litig.*, No. 1:13-md-03056 (N.D.

1 Ga.); *In re Experian Data Breach Litig.*, No. 8:15-cv-01592 (C.D. Cal.); and *In re Anthem, Inc.*
 2 *Data Breach Litig.*, No. 5:15-md-02617 (N.D. Cal.).

3 39. These cases were selected because they reflect recent data breach settlements or
 4 BIPA settlements that Verita has administered and contain claim filing options such as cash
 5 payments, credit monitoring, and/or out-of-pocket loss payments which are similar to those offered
 6 in this Settlement.

7 **OPT-OUT PROCESS**

8 40. To Opt-Out of the Settlement, Settlement Class Members must submit a written
 9 request for exclusion. Opt-Out requests may be submitted to Verita by mail or online through the
 10 Settlement Website. To be considered effective and valid, Opt-Out requests submitted online
 11 through the Settlement Website must be submitted by the Opt-Out Deadline and must be verified
 12 by the Settlement Class Member no later than three business days following the Opt-Out Deadline
 13 using the link sent to the email address provided by the Settlement Class Member as part of their
 14 Opt-Out request.

15 **PROCEDURES FOR SECURELY HANDLING DATA**

16 41. Verita maintains a robust and comprehensive security program designed to ensure
 17 the protection and secure handling of client and claimant data.

18 42. Verita's information security framework is aligned to ISO 27001 and 27002 which
 19 is reviewed on an annual basis and communicated to all employees through a comprehensive
 20 training program.

21 43. Verita designed its in-house processing platform to securely safeguard all
 22 transmitted information, as well as mitigate potential fraud. Verita implements controls that
 23 ensure: (1) data transmission between Verita and its authorized organizations are complete and
 24 secure; (2) new claims (participant data and noticing materials) are established accurately and
 25 completely; (3) claims processing is performed completely and accurately; (4) disbursements are
 26 authorized and performed accurately and completely; (5) output is printed accurately (e.g. claim
 27 forms, deficiency letters, etc.); (6) processing is appropriately authorized and scheduled and that
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1 deviations from scheduled processing are identified and resolved; (7) physical access to the
2 computing resources on which data is stored is restricted to properly authorized individuals; and
3 (8) changes to the existing applications are authorized, tested, approved, and properly
4 implemented.

5 44. Verita acts as a data processor and will receive data transfers from Interim Co-Lead
6 Class Counsel and/or Defendant through secure File Transfer Protocol (herein after “FTP”). The
7 FTP File Gateway will have a User Login and Password for access. Once Verita receives the files,
8 the data will be reviewed for size and record count and removed from the FTP File Gateway.

9 45. Due to the nature of the services Verita provides, data security is of the utmost
10 importance. As such, Verita continually makes sizeable investments designed to protect
11 information and IT assets. Verita has developed a comprehensive global information and
12 cybersecurity framework aligned to National Institute of Standards and Technology (NIST)
13 frameworks, ISO 27001 and ISO 27002. Among other things, this framework and its underlying
14 controls are designed to ensure that Verita’s information and systems are only available to
15 authorized individuals with a justified business need, information is not disclosed or modified
16 without authorization, applicable regulatory, legislative and client requirements are met, and
17 suspected security weaknesses are reported, investigated, documented and resolved.

18 **INSURANCE**

19 46. Verita’s services agreement, as outlined in the Terms and Conditions agreed upon
20 by Verita and Interim Co-Lead Class Counsel, governs the terms and conditions of Verita’s
21 employment, including liability and acceptance of responsibility. Verita accepts responsibility of
22 the settlement administration as outlined therein. Verita maintains insurance applicable to its
23 services including professional indemnity insurance, general liability, property, comprehensive
24 crime, electronic and computer crime, and cyber liability insurance.

25 **FRAUD PREVENTION**

26 47. Effective fraud prevention is an end-to-end process in today’s class action
27 administration. At the time of filing, Verita’s settlement websites utilize industry standard services
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to prevent fraudulent claims from being filed including, but not limited to, a Web Application Firewall (“WAF”) and reCAPTCHA services used to identify and potentially prevent fraudulent claims from being filed. However, in situations where there are unknown class members and the Know Your Customer (“KYC”) protocols requiring proof of identity or purchase are limited, Verita’s backend data analysis is essential to identifying and removing fraudulent claims. While sophisticated fraudulent filers may be able to circumnavigate the front-end protections on our settlement websites, they often struggle to complete claims forms in a unique way. This process includes a comprehensive review of the claim submissions, not just for validation of completion under the terms of the settlement, but analysis of how the claim form was submitted, comparing the answers submitted across the entire population to identify trends in responses to claim form questions and reviewing contact information for duplication in Names, Addresses, Emails, IP addresses, etc. Any claims suspected of fraud are reported to the parties to determine how they should be treated and eventually adjudicated.

CAFA NOTIFICATION

48. Upon filing of the Settlement Agreement with the Court, Verita will work with Defense Counsel to fulfill the notice requirements of the Class Action Fairness Act (“CAFA”). Verita will include information detailing CAFA notice fulfillment in a separate report.

NOTICE PLAN COSTS

49. Verita has agreed to cap the costs of notice and settlement administration at \$727,000-\$1,038,000 depending on the claims rate and primary method by which claims are filed. These costs are based upon the scope of work currently contemplated and include tasks such as CAFA notification, data intake and processing, distributing the email notice, printing and mailing the postcard notice, address searches, re-mailing postcard notices to updated and/or newly located addresses, postage, the media campaign, weekly case reporting, setting up and maintaining the settlement website (in English, Spanish and Mandarin), processing claims and exclusion requests, automated call support (including script drafting and management, monthly maintenance fees, updates, listening to, transcribing and responding to voicemails), responding to Settlement Class

1 Member email inquiries, processing claims filed, curing deficient claims, claim calculations,
2 disbursements and handling, and staff hours.

3 50. The costs of settlement administration are reasonable given the value of this
4 Settlement, are consistent with industry standards, as well as cases of similar size and expected
5 scope. These estimated costs are the product of extensive pre-administration consultation with
6 interim Co-Lead Counsel on the expected scope of work. Notice and settlement administration
7 costs as a general matter are a combination of media placements, unitized pricing, and hourly rates.
8 It is my understanding that Verita will be paid from the Settlement Fund.

9 CONCLUSION

10 51. The proposed Notice Plan is expected to reach virtually the entire Settlement Class
11 by way of the individual direct notice alone which will be provided primarily via email and
12 secondarily via U.S. Mail. Coverage and frequency of exposure will be further enhanced by
13 23andMe's website and in-app notice, the media campaign, and press release.

14 52. The Notice Plan and proposed forms of notice have been designed to adhere to the
15 guidelines set forth in the United States District Court, Northern District of California's Procedural
16 Guidance for Class Action Settlements as published and modified through September 5, 2024.

17 53. In my opinion, the Notice Plan proposed is consistent with other effective settlement
18 notice programs. It is the best notice practicable and meets the "reasonably certain to inform" due
19 process communications standard of *Mullane v. Cent. Hanover Bank & Trust Co.*, 339 U.S. 306, 315
20 (1950). The Notice Plan is designed and expected to meet or exceed the guidelines set forth in Rule
21 23, the *Manual for Complex Litigation, Fourth*, and the FJC Checklist.

1 I declare under penalty of perjury under the laws of the United States of America that the
2 foregoing is true and correct.

3 Executed this 12th day of September 2024, at Ocean City, New Jersey.
4
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8 Carla A. Peak
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Exhibit 1

To:
From: admin@23andMeDataSettlement.com
Subject: 23andMe Customer Data Security Breach Litigation Settlement

ClaimID: _____
PIN: _____

**If Your Information was Compromised in the
23ANDME CUSTOMER DATA SECURITY BREACH,
You are Eligible for Benefits from a Class Action Settlement**

Para la notificación en Español visite nuestro sitio web.

如需西班牙语通知，请访问我们的网站。

A federal court has authorized this Notice. This is not a solicitation from a lawyer.

A Settlement has been reached between Defendant, 23andMe, Inc. (“23andMe”) and Plaintiffs in a class action lawsuit pending in the United States District Court for the Northern District of California over a cyberattack announced by 23andMe on October 6, 2023, which resulted in the theft of Personal Information in its databases concerning nearly 6.4 million United States residents. (the “Security Incident”). Plaintiffs claim that 23andMe did not adequately protect their Personal Information. Defendant denies any wrongdoing. No judgment or determination of wrongdoing has been made.

➤ **Who Is Included?**

You received this email because records indicate you are included in this Settlement as a Settlement Class Member. The Settlement Class includes the approximately 6.4 million U.S. residents identified by 23andMe whose Personal Information was compromised in the Security Incident.

➤ **What Does the Settlement Provide?**

23andMe will establish a \$30 million non-reversionary Settlement Fund. The Settlement Fund will be used to provide Settlement Class Members with:

- Three years of free Privacy & Medical Shield + Genetic Monitoring;
- Reimbursement of up to \$10,000 for Extraordinary Claims incurred as a result of the Security Incident;
- Health Information Claim payments of \$100 for Settlement Class Members that received notice from 23andMe that their health information was involved in the Security Incident; and
- Statutory Cash Claim payments of approximately \$100 for Settlement Class Members that resided in Alaska, California, Illinois, or Oregon on August 11, 2023.

The Settlement Fund will also be used to pay for the costs of notice and administration, and any payment of attorneys’ fees and expenses and Service Awards for the Settlement Class Representatives, subject to court approval. Payments of the Extraordinary Claims and Statutory Cash Claims may be adjusted *pro rata* depending on the number of Settlement Class Members that participate in the Settlement, as outlined in the Settlement Benefits Plan available at www.23andMeDataSettlement.com.

23andMe has also agreed to substantial Business Practice Commitments to strengthen the security of Settlement Class Members’ Personal Information. 23andMe will be solely responsible for the cost of implementing and maintaining these enhanced security commitments.

➤ **How To Get Benefits:**

1. **Extraordinary Claims:** Submit a Claim Form with documentation and an attestation supporting your out-of-pocket unreimbursed expenses related to the Security Incident.
2. **Health Information Claims Cash Payments:** Submit a Claim Form indicating that 23andMe notified you that your Health Information was involved in the Security Incident.
3. **Statutory Claims Cash Payments:** Residents of Alaska, California, Illinois or Oregon on August 11, 2023 are eligible to submit a Claim Form attesting to your residential address.
4. **Three years of Privacy & Medical Shield + Genetic Monitoring:** Submit a claim to have an enrollment code emailed to you after the Settlement's Effective Date.

Use your unique **ClaimID** and **PIN** (located at the top of this email) to file your **Claim Form online at www.23andMeDataSettlement.com**. You can also download a Claim Form from the Settlement Website or request one by calling toll free 1-888-726-1664. The deadline to submit or mail (postmark) your Claim Form is **Month XX, 2025**.

➤ **Your Other Options**

1. **Opt-Out:** If you do not want to be legally bound by the Settlement or receive any benefits from it, you must Opt-Out of the Settlement by **Month XX, 2025**. If you Opt-Out of the Settlement, you will retain your right to sue, continue to sue, or pursue claims against 23andMe arising out of this Security Incident, and will not receive any of the Settlement benefits.
2. **Object:** If you do not exclude yourself, and you want the Judge to know you that you don't like the Settlement and/or the request for attorneys' fees and expenses or service awards, you may submit an objection. Objections must be filed electronically or in person with the Court or may be mailed to the Court and postmarked on or before **Month XX, 2025**.
3. **Do Nothing:** If you file a Claim Form, object to the Settlement and/or attorneys' fees and expenses or service awards, or do nothing, you are choosing to stay in the Settlement Class. You will be legally bound by all orders of the Court, and you will not be able to start, continue, or be part of any other lawsuit against 23andMe or Related Entities about the Security Incident.

Instructions on how to act on your options is available at www.23andMeDataSettlement.com.

➤ **When will the Court decide whether to finally approve the Settlement?**

The Court has scheduled a Final Approval Hearing in this case for **Month XX, 2025**, to consider: (1) whether to approve the Settlement; (2) whether to approve attorneys' fees of up to 25% of the Settlement Fund plus expenses not to exceed \$350,000; (3) whether to approve Service Awards of up to \$500 for the Settlement Class Representatives; and (4) whether any of the objections should be sustained. You or your own lawyer, if you have one, may ask to appear and speak at the Final Approval Hearing at your own expense, but you do not have to.

➤ **How Can I Get More Information?**

For complete information about all of your rights and options, as well as to obtain a Claim Form, view the [Class Notice](#), the Settlement Agreement, and other related documents, visit www.23andMeDataSettlement.com, call 1-888-726-1664 or access the Court Electronic Records (PACER) system online at <https://ecf.cand.uscourts.gov>.

NOTICE AUTHORIZED BY: United States District Court for the Northern District of California

Exhibit 2

In Re: 23andMe, Inc., Customer Data Security Breach Litigation

Case No. 24-md-03098-EMC



Class Action Notice

Authorized by the U.S. District Court, Northern District of California

23andMe's records indicate your information was compromised in the 23andMe data security breach.

You are eligible for benefits from a \$30 million class action settlement.

Your options:

- **Submit a Claim Form** by [date].
- **Opt-Out** by [date].
- **Object** by [date].
- **Do nothing.**

Key things to know:

- This is an important legal document.
- If you take no action, you will still be bound by the Settlement, and your rights will be affected.
- You can learn more at **23andMeDataSettlement.com** or by **scanning the QR code**.
- If you have questions or need assistance, please call 1-888-726-1664.

Court-Approved Legal Notice

Learn more at
23andMeDataSettlement.com

This is an important notice
about a class action settlement.

<<MAIL ID>>

<<NAME 1>>

<<NAME 2>>

<<ADDRESS LINE 1>>

<<ADDRESS LINE 2>>

<<ADDRESS LINE 3>>

<<ADDRESS LINE 4>>

<<ADDRESS LINE 5>>

<<CITY, STATE ZIP>>

<<COUNTRY>>

Exhibit 3

If your information was compromised in the **23andMe Security Incident**
you are eligible for benefits from a **Class Action Settlement**.




[Click here for more information.](#) 

Exhibit 4

United States District Court for the Northern District of California

In re: 23andMe, Inc. Customer Data Security Breach Litigation

Case No. 24-md-03098-EMC

Class Action Notice

Authorized by the U.S. District Court

Did you receive notice that your information was compromised in the 23andMe data security breach?

There is a \$30,000,000 settlement of a lawsuit.
You may be entitled to benefits.

Read this notice.

Your options:

- Submit a Claim Form by [date].
- Opt-Out by [date].
- Object by [date].
- Do nothing.

Important things to know:

- If you take no action, you will still be bound by the Settlement, and your rights will be affected.
- You may file a Claim to receive one or more of the benefits the Settlement provides.
- If you do not want to be bound by the Settlement, you may request exclusion ("Opt-Out").
- If you do not like the Settlement, you may object and tell the Judge what you don't like.
- You should read this notice carefully and completely as it tells you what you can get from the Settlement with 23andMe if you remain in the Settlement and submit a Claim. It also describes what your other options are.

Choose the best path for you:

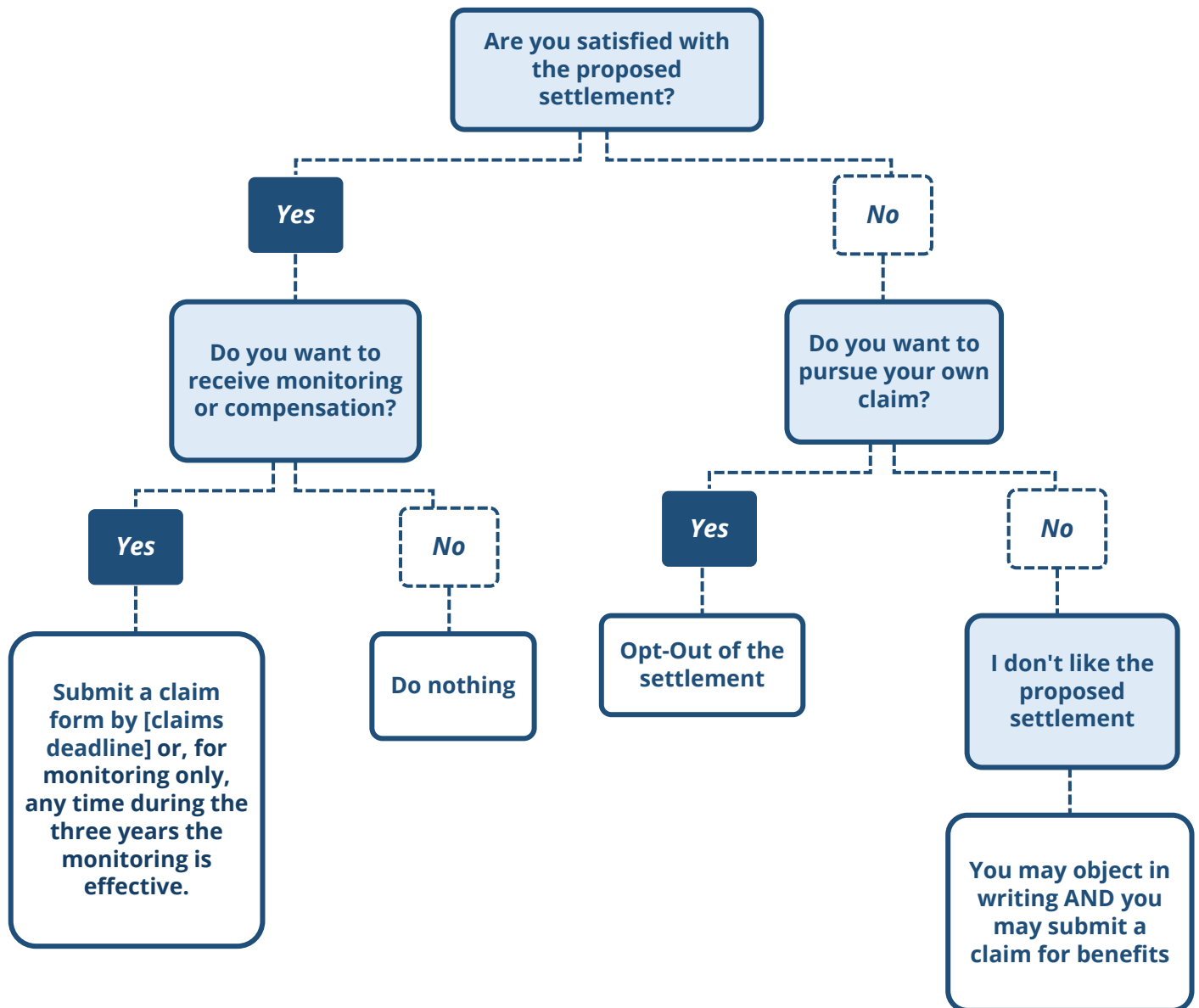


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About this Notice

1. Why did I get this Notice?

A federal court authorized this Notice because you have a right to know about the proposed Settlement in the case, and all of your options, before the Court decides whether to approve the Settlement. If the Court approves it, and after any appeals are resolved, an administrator appointed by the Court will process all claims, make payments and provide access to the benefits that the Settlement allows. You can keep informed of the progress [here](#).

This Notice Explains:

- The lawsuit
- The Settlement
- Your legal rights
- The Settlement benefits
- Who can get benefits
- How to get benefits

2. What do I do next?

Read this Notice carefully to determine if you are a Settlement Class Member and to understand the Settlement and its benefits. Then, decide if you want to:

Options	More information about each option
Submit a Claim Form	You must submit a claim to receive a payment and to enroll in Privacy & Medical Shield + Genetic Monitoring. You will be bound by the Settlement.
Do Nothing	Get no payment. Give up rights resolved by the Settlement.
Opt-Out	Get no payment. Allows you to retain your right to pursue a Claim against 23andMe about the same issues.
Object	Tell the Court why you don't like the Settlement.

Read on to understand the specifics of the Settlement and what each choice would mean for you.

3. What are the deadlines I should be aware of?

- Your deadline to Object or Opt-Out: **[date]**
- Your deadline to submit a Claim Form: **[date]**
- Final Approval Hearing: **[date]**

Learning About the Lawsuit

4. What is this lawsuit about?

In October 2023, 23andMe announced that it had been the subject of a cyberattack, which resulted in the theft of personal information of approximately 6.4 million United States residents.

Numerous lawsuits were brought on behalf of 23andMe users whose Personal Information was compromised as a result of the Security Incident which have been consolidated.

Personal Information includes:

names, dates of birth, sex, genetic information, predicted relationships with genetic matches, ancestry reports, ancestors' birth locations and family names, family tree information, profile information and geographic location.

5. What is the lawsuit called?

These consolidated lawsuits are known as *In re: 23andMe, Inc. Customer Data Security Breach Litigation*, Case No. 24-md-03098-EMC. The individuals who sued 23andMe are called the "Plaintiffs." 23andMe is the "Defendant." Judge Edward M. Chen is overseeing this lawsuit.

6. What are the claims in the lawsuit?

The Plaintiffs claim that the Defendant failed to adequately protect their Personal Information and that they suffered harm as a result. Defendant denies any wrongdoing, and no court or other entity has made any judgment or determination as to who is right or wrong, or that any law has been violated.

Even if you have not filed your own lawsuit against 23andMe regarding the Security Incident, you can obtain one or more of the benefits provided by this Settlement because you are a member of the Settlement Class.

Want to know more?

Review the most recent [Complaint](#), which describes the Plaintiffs' legal claims against the Defendant, and the relief sought in the case.

7. What is a class action?

In a class action, one or more people file a lawsuit to assert legal claims on behalf of themselves and other persons who have experienced the same or similar circumstances. These individuals are known as "class representatives." Together, the people included in the class action are called a "class" or "class members." Because this is a class action settlement, even persons who did not file their own

Settlement Class Representatives:

There are 31 Settlement Class Representatives. Their names can be found on Exhibit 2 to the [Settlement Agreement](#).

lawsuit can obtain relief for harm that may have been caused by the Security Incident.

8. Why is there a Settlement in this lawsuit?

The Court did not decide in favor of the Plaintiffs or Defendant. Instead, both sides agreed to a settlement. That way, they avoid the multi-year delay, risk, cost of further litigation and trial, and allow the Settlement Class Members to receive payments and benefits from the Settlement now. The Settlement Class Representatives and Class Counsel think the Settlement is in the best interests of the Settlement Class.

What is a class action settlement?

A class action settlement is an agreement between the parties to resolve and end the case. Settlements can provide benefits to class members and changes to the practices that caused the alleged harm.

Important Facts About the Settlement

9. How do I know if I am part of this Settlement?

You are a Settlement Class Member if you are among the approximately 6.4 million individuals residing in the United States on August 11, 2023, whose information was compromised in the Security Incident. Individuals were notified of the Security Incident by 23andMe in October 2023, so if you received that notice, you are likely a member of the Settlement Class.

Additionally, you are a Statutory Subclass Member if you were a resident of California, Illinois, Oregon or Alaska on August 11, 2023, and received notice that your Personal Information was compromised in the Security Incident.

Further, you can make a “Health Information Claim” if, as described below, you were notified that your health information was involved in the Security Incident.

10. Are there exceptions to being included?

Yes, the Settlement Class **does not** include:

- 1) 23andMe and its officers and directors;
- 2) all Settlement Class Members who timely and validly request to Opt-Out from the Settlement Class;
- 3) the Judge assigned to evaluate the fairness of this Settlement; and
- 4) potential class members who have provided 23andMe with an express release of claims arising out of or related to the Security Incident prior to the Effective Date of this Settlement.

11. I'm still not sure if I am included.

If you are still not sure whether you are included, you can ask for free help. You can call 1-888-726-1664, send an email to admin@23andMeDataSettlement.com or explore this [website](#) for more information.

12. What claims am I releasing if I stay in the Settlement Class?

Unless you exclude yourself from the Settlement, you will remain in the Settlement Class, which means that you can't sue, continue to sue, or be part of any other lawsuit or proceeding against 23andMe, or any of the Released Parties, about the legal claims in this case. It also means that all of the Court's orders will apply to you and legally bind you. If you do not exclude yourself, you agree to the "Mutual Releases" set forth in Section IX of the [Settlement Agreement](#), which describes the legal claims that you give up if you do not exclude yourself.

The Settlement Benefits

13. What does the Settlement provide?

If the Settlement is approved by the Court, the Defendant will establish a Settlement Fund of \$30 million.

The Settlement Fund will be used to:

- (1) Provide three years of **Privacy & Medical Shield + Genetic Monitoring** for all Settlement Class Members who enroll in this benefit program; *See Nos. 15-16*
- (2) Make cash payments for valid **Extraordinary Claims**; *See Nos. 17-18*
- (3) Make cash payments for valid **Health Information Claims** for Settlement Class Members who received notice that their health information as described below was involved in the Security Incident; *See Nos. 19-20*
- (4) Make cash payments for valid **Statutory Cash Claims** for Settlement Class Members who were residents of Alaska, California, Illinois, or Oregon on August 11, 2023; *See Nos. 21-22*
- (5) Pay Service Awards to Settlement Class Representatives, as approved by the Court;
- (6) Pay attorneys' fees and reimburse expenses, as approved by the Court; and

Want to know more?

For more detailed information on the benefits of the Settlement, please see the [Settlement Agreement](#) and [Settlement Benefits Plan](#).

(7) Pay the costs of notifying Settlement Class Members of the Settlement, and for the administration of the Settlement.

In addition, 23andMe has made substantial Business Practice Commitments to safeguard current users' and Settlement Class Members' Personal Information. The cost of these commitments is in addition to the Settlement Fund and will be paid separately by 23andMe.

14. How does the Settlement help protect me against harm from disclosure of my Personal Information?

All Settlement Class Members are eligible to enroll in three years of Privacy & Medical Shield + Genetic Monitoring. This unique and comprehensive monitoring program provides substantial web and dark web monitoring, and a number of features to aid Settlement Class Members in reducing their digital footprint, among other options to enhance their privacy.

15. Where can I learn more about Privacy & Medical Shield + Genetic Monitoring?

Privacy & Medical Shield + Genetic Monitoring provides the services below. Click [here](#) for a full description of each of these .

Benefits Include:

- Genetic Monitoring
- Digital Vault
- Password Manager
- Breach Scan Tool
- Dark Web Monitoring
- Real-time Authentication Alerts
- Health Insurance Plan ID Monitoring
- Medical Record Monitoring
- National Provider Identifier Monitoring
- Victim Assistance
- \$1 Million Identity Theft & Fraud Insurance - No Deductible
- Virtual Private Network
- Data Broker Opt-Out
- Private Browsing
- Anti Phishing
- Stolen Data Sites Monitoring
- High-Risk Transaction Monitoring
- Medical Beneficiary Identifier Monitoring
- Customer Support
- Security Freeze with All Credit Bureaus
- International Classification of Disease Monitoring

16. How can I enroll in Privacy & Medical Shield + Genetic Monitoring?

In order to take advantage of the full three years of monitoring, you should enroll by submitting a [Claim Form](#) by **[insert claims deadline]**. Those who submit a Claim Form requesting monitoring will be sent an enrollment code after the Settlement's Effective Date, which they can use to enroll and activate the service.

Submit a Claim Form

Claim Forms can be submitted [online](#) or printed from the [Settlement Website](#) and mailed to:

In re: 23andMe, Inc. Customer Data Security Breach Litigation
PO Box 301172
Los Angeles, CA 90030-1172

You can take advantage of the monitoring services at any time during the three years the monitoring is effective by visiting the Settlement Website after the Claims Deadline for additional instructions on how to obtain an enrollment code. If you enroll after the three-year period of monitoring begins you will only get monitoring for the remainder of the three-year period.

17. How will the Settlement compensate me for unreimbursed costs related to the Security Incident?

The Settlement provides for reimbursement of Extraordinary Claims related to the Security Incident. **Extraordinary Claims** are limited to:

1. Unreimbursed costs, expenses or charges incurred as a direct result of identity fraud or falsified tax returns as a result of the Security Incident;
2. Unreimbursed costs or expenses associated with the purchase of a physical security or monitoring system that was purchased in response to the Security Incident; and
3. Unreimbursed costs or expenses associated with seeking professional mental health counseling or treatment that was incurred as a result of the Security Incident.

An "Extraordinary Claim"

is limited to verifiable unreimbursed costs or expenditures up to \$10,000 actually incurred on or after August 11, 2023, through the date of Claim Form submission, and are related to the Security Incident.

Extraordinary Claims will be paid from the Net Settlement Fund up to a total cap of \$5,000,000 (the "Extraordinary Claims Fund"). If valid Extraordinary Claims exceed the Extraordinary Claims Fund, the Extraordinary Claims payments will be reduced on a pro-rata basis. If the valid Extraordinary Claims are less than the Extraordinary Claims Fund, the balance of the Extraordinary Claims Fund will be added to the Statutory Cash Claim Fund.

18. How do I get reimbursed for an Extraordinary Claim?

To request reimbursement for an Extraordinary Claim, you must submit a Claim Form and provide documentation showing what you spent and why it was related to the Security Incident. You can submit a Claim Form with the required attestation as to accuracy of your Claim online or by U.S. mail. Online Claim Forms must be submitted by **11:59 p.m. PST on XXXX, XX, 202X**. Mailed Claim Forms must be postmarked by **XXXX, XX, 202X**. To fill out and submit a Claim Form online, click [here](#).

Submit a Claim Form

Claim Forms can be submitted [online](#) or printed from the [Settlement Website](#) and mailed to:

In re: 23andMe, Inc. Customer Data Security Breach Litigation

PO Box 301172

Los Angeles, CA 90030-1172

19. How do I know if I am eligible for a Health Information Claim payment?

A "Health Information Claim" may be submitted by any Settlement Class Member who received notice from 23andMe that their health information, including (i) uninterpreted raw genotype data, (ii) certain health reports derived from the processing of their genetic information, including health-predisposition reports, wellness reports and carrier status reports, or (iii) self-reported health condition information, was involved in the Security Incident.

If you are unsure if you qualify for a Health Information Claim payment, please contact the Settlement Administrator at 1-888-726-1664 or email admin@23andMeDataSettlement.com.

20. How will the Settlement compensate me for a Health Information Claim?

If you received notice from 23andMe that your Health Information was compromised in the Security Incident, you may make a Claim for a payment of \$100.00.

Health Information Claims will be paid from the Net Settlement Fund up to a total cap of \$750,000. If valid Health Information Claims are less than the Health Information Claims Fund, the balance of the Health Information Claims Fund will be added to the Statutory Cash Claim Fund.

Health Information Claims must be submitted by Claim Form either online by **11:59 p.m. PST on XXXXX, XX, 2025** or by U.S. mail postmarked by **XXXXX, XX, 2025**.

21. How do I know if I am eligible for a Statutory Cash Claim payment?

You are eligible to make a Statutory Cash Claim if you were a resident of Alaska, California, Illinois or Oregon on August 11, 2023, and received notice from 23andMe that your Personal Information was compromised in the Security Incident.

22. How do I get compensated for a Statutory Claim?

Statutory Cash Claim payments are estimated to be \$100.00 but may be more or less depending on the number of valid claims filed.

You must submit a [Claim Form](#), confirming and attesting to your residential address on August 11, 2023, in order to receive a Statutory Cash Claim payment from the Settlement. You can submit a Claim Form online by **11:59 p.m. PST on XXXX, XX, 202X** or by U.S. mail postmarked by **XXXX, XX, 202X**.

Submit a Claim Form

Claim Forms can be submitted [online](#) or printed from the [Settlement Website](#) and mailed to the address on the form.

In re: 23andMe, Inc. Customer Data Security Breach Litigation
PO Box 301172
Los Angeles, CA 90030-1172

23. How has 23andMe changed its business practices as a result of the Security Incident?

As another benefit of the Settlement, 23andMe made substantial Business Practice Commitments regarding actions it has taken, will take and maintain, to strengthen the security of Settlement Class Members' Personal Information. These commitments are detailed in the [Settlement Agreement](#).

24. Want to delete your 23andMe information??

You have the right to delete your information from 23andMe, subject to 23andMe's Account Closure terms, Privacy Statement and legal record retention requirements.

To delete your data from 23andMe visit www.XXXX.com.

25. When will I get my monitoring or payment?

The Court will hold a hearing on XXXX, XX, 202X, to consider:

- (1) whether to approve the Settlement;
- (2) any objections;
- (3) the requests for awards to the Settlement Class Representatives; and
- (4) the request for an award of attorneys' fees and expenses to Class Counsel for their work in this Litigation.

Please be patient.

Settlement payments will be distributed as soon as possible once the Court grants Final Approval of the Settlement and after any appeals are resolved in favor of the Settlement.

If the Court approves the Settlement, there may be appeals. It is always uncertain whether appeals will be filed and, if so, how long it will take to resolve them. Settlement Class Members will be informed of the progress of the Settlement [here](#).

Excluding Yourself from the Settlement

26. Why would I Opt-Out of the Settlement?

If you do not want to receive any benefits from the Settlement, and you want to keep your right, if any, to separately sue 23andMe or any of the Released Parties identified in the Settlement Agreement about the legal issues or factual allegations in this case, you must take steps to exclude yourself from the Settlement Class. This is called "opting out" of the Settlement Class.

27. How do I Opt-Out of the Settlement?

To exclude yourself from the Settlement, you must submit a completed and signed Opt-Out request by U.S. mail to the address below or [online](#).

Any written Opt-Out request must include:

- (1) the case name and number of the Litigation: *In re 23andMe Customer Data Security Breach Litigation*, Case No. 3:24-md-3098-EMC;
- (2) your name and current mailing and email addresses;
- (3) your individually signed Opt-Out request using a wet-ink signature, DocuSign, or other similar process for transmitting authenticated digital signatures;
- (4) a statement clearly indicating your intent to be excluded from the Settlement; and
- (5) a statement that you were a 23andMe user as of August 11, 2023.

Your online Opt-Out must be submitted no later than **11:59 p.m. PST on XXXXX, 202X** AND verified using a link sent to the email you provide with your Opt-Out request within three (3) business days following XXXXX, 202X.

Mailed Opt-Out requests must be postmarked **no later than XXXXX, 202X**, to:

23andMe Settlement Administrator
Attn: Exclusions
PO Box 301172
Los Angeles, CA 90030-1172

28. What happens if I Opt-Out of the Settlement?

If you ask to be excluded (“Opt-Out”), you are stating to the Court that you do not want to be part of the Settlement. You will not be eligible to receive any Settlement benefits, and you cannot object to the Settlement. You will not be legally bound by anything that happens in this lawsuit. You may be able to pursue (or continue to pursue) a claim against 23andMe or any of the Released Parties in the future. You may only exclude yourself—not any other person, unless that person is under your legal guardianship (such as a minor child).

Opt-Out requests seeking exclusion on behalf of more than one individual will be found invalid by the Settlement Administrator.

29. If I don’t Opt-Out, can I pursue a claim against 23andMe for the same thing later?

No. Unless you Opt-Out, you give up any right to pursue a claim against 23andMe or the Released Parties for the claims that this Settlement resolves. If you have a pending claim, speak to your lawyer in that action immediately. You must Opt-Out from this Settlement to continue your own claim. Remember, **the exclusion deadline is XXXXX, 202X**.

30. If I Opt-Out, can I get any benefits from this Settlement?

No. If you Opt-Out, you will not receive any of the Settlement benefits outlined in the Settlement Benefits Plan.

Objecting to the Settlement

31. What does it mean to object to the Settlement?

If you are a Settlement Class Member, you can choose (but are not required) to object to the Settlement if you do not like it or a portion of it. You can give reasons why you think the Court should not approve it. You can ask the Court to deny approval by filing an objection. You can’t ask the Court to order a different settlement; the Court can only approve or reject the Settlement. The Court will consider your views. If the Court denies approval, no Settlement payments or benefits will be provided to anyone, and the lawsuit will continue. If that is what you want to happen, you should object.

32. How do I tell the Court that I don't like the Settlement?

To object to the Settlement, you must submit a letter or other document to the Court that includes:

- (1) the case name and number of the Litigation: *In re 23andMe Customer Data Security Breach Litigation*, Case No. 3:24-md-3098-EMC;
- (2) your full name, address, telephone number, and email address (if any);
- (3) information which verifies you are a Settlement Class Member (e.g., a copy of the Class Notice or of the original notice of the Security Incident emailed or otherwise addressed to you);
- (4) a statement of all of the grounds for your objection, accompanied by any legal support for your objection;
- (5) a statement of whether the objection applies only to you, to a specific subset of the class, or to the entire class;
- (6) a statement of whether you intend to personally appear or speak at the Final Approval Hearing;
- (7) the identity of all counsel representing you and whether they will appear at the Final Approval Hearing;
- (8) a statement of whether you have sold or otherwise transferred your right of recovery to this Settlement to another person or entity, and, if so, the identity of the person or entity; and
- (9) your personal signature or your duly authorized representative's signature.

Your objection must be submitted to the Court by: (a) mailing it to the Class Action Clerk at the address below; (b) filing it electronically, for a fee, through the Court's Public Access to Court Electronic Records (PACER) system at <https://ecf.cand.uscourts.gov>; or (3) delivering it in person at any location of the United States District Court for the Northern District of California. **Your objection must be filed, received by the Class Action Clerk or postmarked on or before 11:59 p.m. PST on XXXXX, 202X.**

Class Action Clerk
United States District Court for the Northern District of California
450 Golden Gate Avenue, Box 36060
San Francisco, CA 94102-3489

33. May I or my attorney speak at the Final Approval Hearing about my objection?

Yes, you or your attorney may speak at the Final Approval Hearing about your objection. To

do so, you must include a statement in your objection indicating that you or your attorney intend to appear at the Final Approval Hearing. If you appear through your own attorney, you are responsible for hiring and paying that attorney.

34. What's the difference between objecting and submitting an Opt-Out?

Objecting is telling the Court that you don't like something about the Settlement, and you don't believe it should be approved. You can object to the Settlement only if you do not Opt-Out of the Settlement Class. If you object, you may still submit a Claim Form for Settlement benefits for which you qualify. If the Settlement is approved, you will receive the benefits to which you are entitled if you submitted a timely and otherwise valid Claim Form. If you Opt-Out of the Settlement, you cannot object to it because the Settlement no longer affects you. If you Opt-Out of the Settlement, you are not eligible to receive Settlement benefits.

The Lawyers Representing You

35. Do I have a lawyer in this case?

The Court has appointed lawyers, called "Class Counsel" to represent the Settlement Class in this case. Class Counsel are Gayle M. Blatt of Casey Gerry Schenk Francavilla Blatt & Penfield, LLP, Norman E. Siegel of Stueve Siegel Hanson LLP, and Cari Campen Laufenberg of Keller Rohrbach L.L.P.:

Gayle M. Blatt
CASEY GERRY SCHENK
FRANCAVILLA BLATT &
PENFIELD, LLP
110 Laurel Street
San Diego, CA 92101

Cari Campen Laufenberg
KELLER ROHRBACK L.L.P.
1201 Third Avenue
Suite 3400
Seattle, WA 98101

Norman E. Siegel
STUEVE SIEGEL HANSON LLP
460 Nichols Road, Suite 200
Kansas City, MO 64112

You will not be charged for their services.

36. Should I get my own lawyer?

You do not need to hire your own lawyer to participate in the Settlement. If you object to the Settlement or otherwise want to be represented by your own lawyer, you may hire one at your own expense.

37. How will the lawyers be paid?

Class Counsel will ask the Court to approve payment of up to 25% of the Settlement Fund for attorney's fees and reimbursement of up to \$350,000.00 in litigation expenses incurred in this case. The Court will decide how much Class Counsel will be paid and the amount of their reimbursement.

You have the right to object to the lawyers' fees even if you think the Settlement terms are fair. The lawyers' motion for attorneys' fees and costs will be filed with the Court and posted on the Settlement Website on or before [notice date].

Lawyers' fees and expenses will only be awarded if approved by the Court as a fair and reasonable amount.

If You Do Nothing

38. What happens if I do nothing at all?

If you are a Settlement Class Member and you do nothing, you will give up the right to pursue a claim, continue a claim, or be part of any other action against 23andMe and the Released Parties about legal issues or factual allegations resolved by this Settlement. In addition, you will not receive any benefit to which you might be entitled under the Settlement.

39. Can I enroll in Privacy & Medical Shield + Genetic Monitoring later?

Even if you do not make a claim, you may still enroll in Privacy & Medical Shield + Genetic Monitoring during the three-year term of the service by visiting www.23andMeDataSettlement.com for further enrollment instructions.

If you wait to enroll until sometime during the three-year term of service, you will only get monitoring for the remainder of the service term. Therefore, you are encouraged to submit a Claim Form by the Claims Deadline and to promptly activate the service upon receipt of the enrollment code, so that you can take full advantage of the benefit.

If you do not take action to enroll in the monitoring program within the three-year monitoring term of service, you will give up your right to participate in that benefit.

Deciding What to Do.

40. How do I weigh my options?

As described in this Notice, you have four options. You can stay in the Settlement and submit a Claim Form to receive benefits as outlined above, you can Opt-Out of the Settlement, you can object to the Settlement, or you can do nothing. This chart shows the effects of each option:

	Submit a Valid Claim	Opt-Out	Object	Do Nothing
Can I receive Settlement benefits if I . . .	YES	NO	YES	NO
Am I bound by the terms of this Settlement if I . . .	YES	NO	YES	YES
Can I pursue my own claim if I . . .	NO	YES	NO	NO
Will Class Counsel represent me if I . . .	YES	NO	NO	YES

The Court's Final Approval Hearing

41. When and where will the Court decide whether to approve the Settlement?

The Court will hold a Final Approval Hearing to decide whether to approve the Settlement. The hearing will be held at:

Where: United States District Court for the Northern District of California, 450 Golden Gate Ave., Courtroom 5, 17th Floor, San Francisco, CA 94102

When: [time] on [date]

The date and time of the Final Approval Hearing may change without further notice to the class. You should check the [Settlement Website](#) frequently to confirm that the date has not changed.

Because the Settlement of a class action decides the rights of all members of the proposed classes, the Court must give final approval to the Settlement before it can take effect.

Case: *In Re: 23andMe, Inc., Customer Data Security Breach Litigation*, No. 24-md-03098-EMC

Judge: The Honorable Edward M. Chen

At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. The Court may also decide how much Class Counsel and the Settlement Class Representatives are entitled to under the Settlement. If there are objections, the Court will consider them. The Court may listen to people who have asked to speak at the hearing. After the hearing, the Court will decide whether to approve the Settlement. We do not know how long these decisions will take.

42. Can the date, time or location of the Final Approval Hearing change?

Yes, the Court may reschedule the Final Approval Hearing or change any of the deadlines described in this Notice. The date of the Final Approval Hearing may change without further notice to Settlement Class Members.

Check the [Settlement Website](#) for any updates.

You can also check whether the hearing date or any deadlines have changed by accessing the case docket via the Court's Public Access to Court Electronic Records (PACER) system at <https://ecf.cand.uscourts.gov>.

43. Do I have to come to the hearing?

No. Class Counsel will answer questions the Court may have about the Settlement. You may attend at your own expense if you wish. If you file an objection, you do not have to come to the Final Approval Hearing to talk about it. If you file your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but such attendance is not necessary for the Court to consider your objection if it was filed on time.

Key Resources

44. How do I get more information about the Settlement?

This Notice summarizes the proposed Settlement. Complete details are provided in the Settlement Agreement and the Settlement Benefits Plan. The Settlement Agreement and other related documents can be found [here](#).

If you have additional questions, you may:

- contact the Settlement Administrator by email, phone or mail, or:
- contact Class Counsel (information below)
- access the Court Electronic Records (PACER) system online at <https://ecf.cand.uscourts.gov> or by visiting the Clerk's office of the Court (address below)

Resource	Contact Information
Settlement Website	www.23andMeDataSettlement.com
Email	admin@23andMeDataSettlement.com
Phone	1-888-726-1664
Settlement Administrator	23andMe Settlement Administrator PO Box 301172 Los Angeles, CA 90030-1172
Your Lawyers	Gayle M. Blatt CASEY GERRY SCHENK FRANCAVILLA BLATT & PENFIELD, LLP 110 Laurel Street San Diego, CA 92101

	<p>[insert email address] [insert phone #]</p> <p>Cari Campen Laufenberg KELLER ROHRBACK L.L.P. 1201 Third Avenue, Suite 3400 Seattle, Washington 98101 [insert email address] [insert phone #]</p> <p>Norman E. Siegel STUEVE SIEGEL HANSON LLP 460 Nichols Road, Suite 200 Kansas City, MO 64112 [insert email address] [insert phone #]</p>
Court	<p>Office of the Clerk United States District Court 450 Golden Gate Ave. San Francisco, CA, 94102</p> <p>HOURS: 9:00 a.m. and 4:00 p.m., Monday through Friday, except court-observed holidays.</p> <p>More information about the Court Clerk's office hours and other locations can be found at www.cand.uscourts.gov/about/locations/.</p> <p>PLEASE DO NOT TELEPHONE THE COURT OR THE COURT CLERK'S OFFICE TO INQUIRE ABOUT THIS SETTLEMENT.</p>

Exhibit 5

BARCODE

**Must be
postmarked or
submitted online
NO LATER THAN
XXXXXXX, 2025.**

23andMe Claims Administrator
PO Box 301172
Los Angeles, CA 90030-1172
www.23andMeDataSettlement.com

23andMe Customer Data Security Breach Claim Form

SETTLEMENT BENEFITS – WHAT YOU MAY GET

If you were a U.S. resident on August 11, 2023 and you received notice from 23andMe that your Personal Information was compromised in the 23andMe Security Incident, you may submit a claim for benefits of the Settlement.

The easiest way to submit a claim and request electronic payment is to fill out this Claim Form and submit it online at www.23andMeDataSettlement.com, or you can complete and mail this claim form to the mailing address above. If you mail this claim form, you will receive your payment via check. If you want to receive an electronic payment, you must file your claim online.

You may submit a claim for one or more of these benefits:

Monitoring Service. Use the Claim Form to request an enrollment code to receive three years of Privacy & Medical Shield + Genetic Monitoring. For a comprehensive list of the benefits this service provides, please see the Class Notice and/or FAQ # XX at www.23andMeDataSettlement.com.

Cash Benefits. Use this Claim Form to request money for Extraordinary Claims, Health Information Claims, and/or Statutory Cash Claims.

1. **Extraordinary Claims:** If you spent money related to the Security Incident on or after August 11, 2023 through the date you are submitting this Claim Form, for which you have not been reimbursed, you can receive up to \$10,000 for documented approved costs. These costs are limited to: (1) unreimbursed costs, expenses, losses or charges incurred as a direct result of identity fraud or falsified tax returns that a Settlement Class Member establishes were incurred in response to the Security Incident, (2) unreimbursed costs or expenses associated with the purchase of a physical security or monitoring system that a Settlement Class Member establishes were purchased in response to the Security Incident, and/or (3) unreimbursed costs or expenses associated with seeking professional mental health counseling or treatment that you incurred as a result of the Security Incident.
2. **Health Information Claims:** If you are a Settlement Class Member and you received notice from 23andMe that health information in your account was involved in the Security Incident, including (i) uninterpreted raw genotype data, (ii) certain health reports derived from the processing of your genetic information, including health-predisposition reports, wellness reports and carrier status reports, and/or (iii) self-reported health condition information, you may submit a Health Information Claim.
3. **Statutory Cash Claims:** If you are a Settlement Class Member and you were a resident of Alaska, California, Illinois, or Oregon on August 11, 2023, you may submit a Statutory Cash Claim.

If you qualify, you may file a claim to receive any or all of the benefits set forth above.

Claims must be submitted online or mailed (and postmarked) by **XXXXXX, 2025**.

Use the address at the top of this form for mailed claims.

Please note: For claims that require documentation, the Settlement Administrator may contact you to request additional documents needed to process your claim.

Cash benefits for Extraordinary Claims are subject to pro rata reduction. Statutory Cash Claim benefits may decrease or increase depending on the number of Statutory Cash Claims and the amount of claims submitted for Extraordinary and Health Information Claims.

For more information and answers to FAQs, a description of the monitoring program or other Settlement benefits, please visit www.23andMeDataSettlement.com.

Please note that Settlement benefits will be distributed only after the Settlement is approved by the Court, any appeal period has expired, and any appeals are resolved.

Your Information

We will use this information to contact you and process your claim. It will not be used for any other purpose. If any of the following information changes, you must promptly notify us by emailing Admin@23andMeDataSettlement.com.

1. NAME (REQUIRED)	
	First Mi Last
2. MAILING ADDRESS (REQUIRED):	
	Street Address
	Apt. No.
	City State Zip
3. CURRENT PHONE NUMBER:	() -
4. EMAIL ADDRESS: (REQUIRED)	@
5. CLAIMID & PIN (REQUIRED)	ClaimID: PIN:
6. EMAIL ADDRESS ASSOCIATED WITH 23ANDME ACCOUNT (REQUIRED IF CLAIM ID & PIN ARE NOT PROVIDED ABOVE)	If you do not have or are unable to locate the ClaimID &PIN provided in the email you received regarding this Settlement, you must provide the email address associated with your 23andMe account. @

Privacy & Medical Shield + Genetic Monitoring

All Settlement Class Members are entitled to receive three years of this comprehensive service as a benefit of the Settlement upon enrollment. You are encouraged to submit a Claim Form requesting enrollment in Privacy & Medical Shield + Genetic Monitoring. If you submit a Claim Form for these monitoring services, you will be provided with an enrollment code by email after the Effective Date of the Settlement and will receive the full three years of this benefit. Even if you do not submit a Claim Form by the Claims Deadline, you can still enroll in the monitoring services at any time during the three years the monitoring is effective by following the instructions on the Settlement Website to obtain an enrollment code. If you enroll after the three-year monitoring period begins, you will only receive monitoring for the remainder of the three-year period. Information regarding how to enroll will be posted on the Settlement Website after the claims period has ended.

☐ I want to enroll in three years of Privacy & Medical Shield + Genetic Monitoring.

You will receive an email with an enrollment code and activation instructions at the email address you provided above after the Settlement becomes final. If you would like to receive the enrollment code and instructions at an alternative email address, please provide it here.

_____ @ _____

Cash Payment: Extraordinary Claim

If you spent money related to the Security Incident on or after August 11, 2023 through the date you are submitting this Claim Form, and you have not been reimbursed, you can be reimbursed up to \$10,000 for documented approved costs. These are limited to: (1) unreimbursed costs, expenses, losses or charges incurred as a direct result of identity fraud or falsified tax returns that a Settlement Class Member establishes were incurred as a result of the Security Incident; (2) unreimbursed costs or expenses associated with the purchase of a physical security or monitoring system that a Settlement Class Member establishes was purchased in response to the Security Incident; and/or (3) unreimbursed costs or expenses associated with seeking professional mental health counseling or treatment that you incurred as a result of the Security Incident.

You must submit Reasonable Documentation supporting your claim. This may include credit card statements, bank statements, invoices, receipts, or other documents substantiating unreimbursed costs, expenses, losses or charges as a direct result of the Security Incident, subject to the limitations set forth above.

Personal certifications, declarations, or affidavits do not constitute Reasonable Documentation, but may be included to provide clarification, context or support for other submitted Reasonable Documentation.

Complete the section below to the best of your ability and include or attach documentation supporting your claim.

Loss Type and Examples of Documents	Date (if known)	Amount (if known)	Description of Loss or Money Spent and Supporting Documents (Identify what you are attaching, and why it's related to the Security Incident)
<p>Documents showing you lost money due to identity fraud or falsified tax returns as a direct result of the Security Incident on or after 8/11/2023</p> <p><i>Examples: Account statement with unauthorized charges highlighted; police reports; IRS documents; FTC Identity Theft Reports; letters refusing to refund fraudulent charges; invoices from accountants, lawyers, or others</i></p>	<p>___ / ___ / ____</p>	<p>\$ _____. ____</p>	<hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
<p>Documents showing you purchased a physical security or monitoring system as a direct result of the Security Incident on or after 8/11/2023</p> <p><i>Examples: Receipts or statements for physical security or monitoring systems purchased as a result of the Security Incident</i></p>	<p>___ / ___ / ____</p>	<p>\$ _____. -</p>	<hr/> <hr/> <hr/> <hr/> <hr/> <hr/>

<p>Documents showing you paid mental health professionals for counseling and/or treatment to help address harm related to the Security Incident on or after 8/11/2023</p> <p><i>Examples: Receipts, bills, and invoices from any mental health practitioner(s) you saw as a result of this Security Incident</i></p>	<p>___/___/___</p>	<p>\$_____.</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------	-----------------	-------------------------------------------------------------------------------

Cash Payment: Health Information Claim

If you received notice from 23andMe that health information in your account was compromised, including (i) uninterpreted raw genotype data, (ii) certain health reports derived from the processing of your genetic information, including health-predisposition reports, wellness reports and carrier status reports, and/or (iii) self-reported health condition information, you may file a Health Information Claim.

☐ I want to receive a Health Information Claim payment of \$100.

Cash Payment: Statutory Cash Claim

If you were a resident of Alaska, California, Illinois, or Oregon on August 11, 2023 you may file a Statutory Cash Claim.

- ☐ I want to receive a Statutory Cash Claim payment of approximately \$100, and,
☐ I attest that I was a resident of Alaska, California, Illinois, or Oregon on August 11, 2023.

Address on August 11, 2023 (if different than above):

Street Address

Apt./Suite No.

City

State

ZIP

PAYMENT SELECTION: ONLINE CLAIM FORM ONLY

How You Would Like to Receive Your Settlement Payment

Please select how you would like to receive your payment (select only one):

- ☐ PayPal
☐ Venmo
☐ Zelle

[Upon selection, the Settlement Class Member will be required to enter the email address or phone number associated with their account selection]

- ☐ Check

Signature

I affirm under the laws of the United States that the information I have supplied in this Claim Form and any copies of documents that I am sending to support my claim are true and correct to the best of my knowledge.

I understand that I may be asked to provide more information by the Settlement Administrator before my claim is complete.

Signature:	Dated: ____/____/____
Print Name:	